

UNITED STATES DISTRICT COURT

MIDDLE DISTRICT OF ALABAMA
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May 31, 2007

NOTICE OF CORRECTION

From: Clerk's Office

Case Style: Martin v. State of Alabama Department of Corrections et al

Case Number: 2:07-cv-00335-MEF

This Notice of Correction was filed in the referenced case this date to correct the PDF document previously attached.

The correct PDF document is attached to this notice for your review. Reference is made to document # 13 filed on May 25, 2007.

IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

JOE BENOIT MARTIN, #208789,

Plaintiff,

V.

STATE OF ALABAMA DEPT. OF
CORRECTIONS, et al.,

Defendants.

CASE NO. 2:07-CV-335-MEF
[WO]

ORDER

On May 1, 2007, the Magistrate Judge filed a Recommendation in this case to which no timely objections have been filed. Upon an independent review of the file in this case and upon consideration of the Recommendation of the Magistrate Judge, it is the ORDER, JUDGMENT and DECREE of the court that:

1. The Recommendation of the Magistrate Judge is ADOPTED.
2. The claims Martin presents against the State of Alabama Department of Corrections is dismissed with prejudice prior to service of process in accordance with the provisions of 28 U.S.C. § 1915(e)(2)(B)(i).
3. The State of Alabama Department of Corrections is dismissed from this cause of action.
4. This case, with respect to the claims lodged against the remaining defendants, is referred back to the Magistrate Judge for appropriate proceedings.

DONE this the 25th day of May, 2007.

/s/ Mark E. Fuller
CHIEF UNITED STATES DISTRICT JUDGE